

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

LIBERTY MUTUAL INSURANCE	)	C.A. No. 96-10804-DPW
COMPANY,	)	
	)	Case Numbers
	)	1:04-CV-10969-DPW
	)	(Sutton Brook Site)
Plaintiff,	)	
	)	
v.	)	
	)	
THE BLACK & DECKER	)	
CORPORATION, BLACK & DECKER	)	
INC., BLACK & DECKER (U.S.)	)	
INC., EMHART CORPORATION,	)	
and EMHART, INC.,	)	
	)	
Defendants.	)	

**PLAINTIFF'S ASSENTED-TO MOTION FOR LEAVE  
TO FILE MEMORANDUM OF LAW  
IN EXCESS OF TWENTY PAGES**

Pursuant to Local Rule 7.1(B)(4), plaintiff, Liberty Mutual Insurance Company ("Liberty Mutual"), hereby moves this Court for an Order granting Liberty Mutual leave to file Liberty Mutual's Memorandum Of Law In Support Of Its Motion For Summary Judgment With Respect To The Sutton Brook Site, which exceeds twenty pages in length.

As grounds for the instant motion, Liberty Mutual states that a significant number of legal and factual issues must be addressed in the motion for summary judgment. Liberty Mutual respectfully submits that a memorandum of law

exceeding twenty pages in length is necessary in order to provide a full explication of these issues to the Court. The Defendants have assented to this motion.

WHEREFORE, Liberty Mutual respectfully requests that this Court issue an Order granting Liberty Mutual leave to file its Memorandum Of Law In Support Of Its Motion For Summary Judgment With Respect To The Sutton Brook Site in a form exceeding twenty pages in length.

LIBERTY MUTUAL INSURANCE COMPANY

By its attorneys,

Liberty Mutual Insurance Company's Memorandum of Law in Support of Motion for Summary Judgment with Respect to the Sutton Brook Site

/s/ Ralph T. Lepore III

Ralph T. Lepore III (BBO #294420)  
Janice Kelley Rowan (BBO #265520)  
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Dated: November 30, 2004

LOCAL RULE 7.1(A)(2) CERTIFICATION

I hereby certify that I conferred with counsel for defendants, Richard Binder, and Mr. Binder assented to the filing of this motion.

/s/ Ralph T. Lepore III

Ralph T. Lepore III

CERTIFICATE OF SERVICE

I hereby certify that on this 30<sup>th</sup> day of November, 2004, I caused a copy of the foregoing motion to be served by hand upon counsel for defendants, Jack R. Pirozzolo, at Willcox, Pirozzolo and McCarthy, P.C., 50 Federal Street, Boston, MA 02110.

/s/ James M. Tierney

James M. Tierney